

have. Those outstate merchants who sell goods or deliver goods to Nebraska residents must provide a list of such sales to the State Tax Commissioner. This list must include the name and address of the purchaser and the amount of the sale. But we know that they probably aren't going to do this. So as an alternative to the list, the out-of-state merchant may simply file for a permit to collect sales and use tax, and then remit that amount to the State Tax Commissioner every month, just like our local merchants do. Senator Nichol and Senator Baack, some of these mail order houses do that now. They go ahead and get this permit and collect the sales tax and remit it to our state. This is what we want all of them to do. Any out-of-state merchant who does not comply with the bill would not be allowed to use our courts in Nebraska to collect on debts related to these sales. Now I haven't heard that this was unconstitutional, it probably...maybe it could be a constitutional suspect, but I doubt whether it would be. But I think this bill would definitely help local merchants overcome a competitive disadvantage. We did remove the credit card companies from this bill, so they can still use the courts. Senator Baack talked about the cost of this, \$5,000. I realize this isn't a great amount of money, but we feel if we pass this bill that a lot of the companies will just voluntarily comply. I see nothing wrong with that. So I would urge you to defeat the motion to kill the bill.

PRESIDENT: Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the Legislature, question of Senator Hefner, please.

SENATOR HEFNER: Certainly.

SENATOR HABERMAN: Senator Hefner, what is your answer to merchandise that cannot be purchased in the State of Nebraska and that people in the state are forced to go out of the state to buy it?

SENATOR HEFNER: Senator Haberman, what is so wrong with paying sales tax on that merchandise that you can't get in the state?

SENATOR HABERMAN: Well, because it is not available in Nebraska. You are forcing them to go out and pay a sales